

REMARKS

Upon entry of the present amendment, claims 1-4, 6-10, 14-20 and 22 will remain pending in this application. Claims 5, 11-13 and 21 are hereby cancelled. Applicant respectfully submits that no new matter is added in the present amendment.

In the outstanding Office Action, claims 1, 11, 14, 17, 21 and 22 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Claims 1 and 17 also stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Claims 1-5, 7-10 and 17-20 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over United States Patent No. 6,349,296 ("Broder") in view of United States Patent No. 6,058,410 ("Sharangpani") and further in view of United States Patent No. 6,658,423 ("Pugh"). Claims 6, 11-16, 21 and 22 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Broder in view of Sharangpani and United States Patent No. 5,721,788 ("Powell") and further in view of United States Patent No. 6,658,423 ("Pugh"). Applicant respectfully traverses the rejections.

Interview Summary

Applicant's undersigned representative, Mr. Eiferman, and Examiner Brent Space participated in a telephonic interview on October 2, 2007 to clarify the independent claims.

Rejections under 35 U.S.C. § 112

Claims 1, 11, 14, 17, 21 and 22 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Claims 1 and 17 also stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. The claim language that was the focus of both of these rejections is hereby deleted from the claims. Accordingly, reconsideration and withdrawal of the 35 U.S.C. § 112 rejections are respectfully requested.

Rejections under 35 U.S.C. § 103

Claims 1-5, 7-10 and 17-20 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over United States Patent No. 6,349,296 ("Broder") in view of United States Patent No. 6,058,410 ("Sharangpani") and further in view of United States Patent No. 6,658,423 ("Pugh"). Claims 6, 11-16, 21 and 22 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Broder in view of Sharangpani and United States Patent No. 5,721,788 ("Powell") and further in view of United States Patent No. 6,658,423 ("Pugh"). Applicant respectfully traverses the rejections.

Independent claims 1, 14, 17 and 22 recite combining four samples of features into each of seven supersamples.

The Office Action, while addressing claims 14 and 22, cites Pugh and Broder as teaching the feature of combining four samples of features into each of seven supersamples. However, Applicants have reviewed these references in detail and found no teaching or suggestion of this feature. Although the cited portion of Pugh mentions 4 fingerprints, there is no teaching or suggestion that the four fingerprints are combined - and no specific mention that they are combined into 7 supersamples. In fact, neither of the cited references even mentions 7 supersamples. Sharangpani and Powell also fail to teach or suggest this feature.

Thus, the cited references do not teach or suggest combining four samples of features into each of seven supersamples as recited in independent claims 1, 14, 17 and 22. Accordingly, Applicants respectfully submits that independent claims 1, 14, 17 and 22 and all claims depending therefrom are patentable over the cited references. Claims 5, 11-13 and 21 are hereby cancelled. Accordingly, reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejections are respectfully requested.

DOCKET NO.: 307238.01 / MSFT-5031
Application No.: 10/805,805
Office Action Dated: August 10, 2007

PATENT

CONCLUSION

In view of the above amendments and remarks, Applicant respectfully submits that the present application is in condition for allowance.

Date: November 13, 2007

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